

FORM PTO-1390 (Modified) U.S. PATENT AND TRADEMARK OFFICE; U.S. DEPARTMENT OF COMMERCE (REV. 2-2005)		ATTORNEY'S DOCKET NUMBER DEX0477US.NP
TRANSMITTAL LETTER TO THE UNITED STATES		U.S. APPLICATION NO. (If known, see 37 CFR 1.5)
DESIGNATED/ELECTED OFFICE (DO/EO/US)		10/553436
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		
INTERNATIONAL APPLICATION NO. PCT/US2004/011104	INTERNATIONAL FILING DATE 12 April 2004	PRIORITY DATE CLAIMED 11 April 2003

TITLE OF INVENTION

Compositions, Splice Variants and Methods Relating to Cancer Specific Genes and Proteins

APPLICANT(S) FOR DO/EO/US

MACINA, Roberto A., TURNER, Leah R., SUN, Yongming and TAM, Albert

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 23 below concern document(s) or information included:

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☒ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. EV626224982US
23. ☒ Other items or information:

Courtesy copy of the International Application; An unexecuted oath or declaration of the inventor(s) (35 U.S.C.371 (c)(4)) Statement to support filing and submission in accordance with 37 CFR 1.821-1.825; Sequence Listing CD Transmittal letter and CD-R 1 and CD-R2; Return post card.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/553436</b>		INTERNATIONAL APPLICATION NO. <b>PCT/US2004/011104</b>		ATTORNEY'S DOCKET NUMBER <b>DEX0477US.NP</b>	
The following fees are submitted:				<b>CALCULATIONS</b>	<b>PTO USE</b>
24. <input checked="" type="checkbox"/> Basic national fee		\$300		\$	\$300.00
25. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4). All other situations.		\$100 \$200		\$	\$200.00
26. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority International Search Report prepared and provided to the Office All other situations.		\$100 \$400 \$500		\$	\$100.00
<b>TOTAL OF 24, 25 and 26 =</b>				\$	\$600.00
<input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)	RATE		
440 - 100 =	340 /50 =	7	x \$250.00	\$	\$1,750.00
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	18 - 20 =	0	x \$50.00	\$	\$0.00
Independent claims	2 - 3 =	0	x \$200.00	\$	\$0.00
MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00				\$	\$0.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	\$2,350.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	\$0.00
<b>SUBTOTAL =</b>				\$	\$2,350.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	\$0.00
<b>TOTAL NATIONAL FEE =</b>				\$	\$2,350.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +				\$	\$0.00
<b>TOTAL FEES ENCLOSED =</b>				\$	\$2,350.00
				Amount to be	\$
				Amount to be	\$

a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-1619. A duplicate copy of this sheet is enclosed.

d. ☒ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:  
 Licata & Tyrrell P.C.  
 66 East Main Street  
 Marlton, New Jersey 08053  
 Tel: 856-810-1515  
 Fax: 856-810-1454

*Kathleen A. Tyrrell*  
 SIGNATURE  
 Kathleen A. Tyrrell  
 NAME  
 38,350  
 REGISTRATION NUMBER

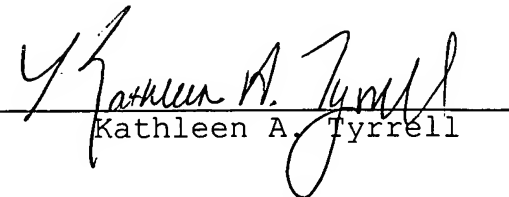
## CERTIFICATE OF EXPRESS MAILING

"Express Mail" Label No. EV626224982US

Date of Deposit: October 11, 2005

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.A. 1.10 on the date indicated above and is addressed to the Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

- 1) Transmittal Letter (in duplicate);
- 2) PCT International Application;
- 3) International Search Report;
- 4) Unexecuted Declaration and Power of Attorney;
- 5) Preliminary Amendment;
- 6) Statement to Support Filing and Submission in Accordance with 37 CFR §1.821-1.825;
- 7) A computer-readable form of the sequence listing;
- 8) Sequence Listing CD Transmittal;
- 9) Two (2) CD ROMs containing sequence listing submitted in lieu of paper copy;
- 10) Information Disclosure Statement/Form PTO 1449;
- 11) USPTO Credit Card Payment Form authorizing payment in the amount of \$2,350.00 for filing fees;
- 12) Return Postcard.

  
Kathleen A. Tyrrell

10/553436

JCO6 Rec'd PCT/PTO 11 OCT 2009

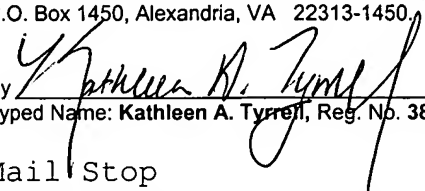
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: DEX0477US.NP  
Inventors: Macina et al.  
Serial No.: Not yet assigned  
Filing Date: Herewith  
Examiner: Not yet assigned  
Customer No.: 32800  
Group Art Unit: Not yet assigned  
Confirmation No.: Not yet assigned  
Title: Compositions, Splice Variants and  
Methods Relating to Cancer Specific  
Genes and Proteins

"Express Mail" Label No. EV626224982US  
Date of Deposit October 11, 2005

I hereby certify that this paper is being deposited  
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on the date indicated above and is addressed to the  
U.S. Patent & Trademark Office, Box Patent Application,  
P.O. Box 1450, Alexandria, VA 22313-1450.

By

  
Typed Name: Kathleen A. Tyrrell, Reg. No. 38,350

Mail Stop  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

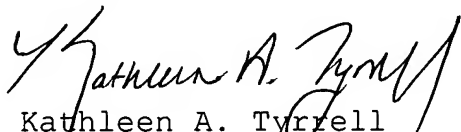
Dear Sir:

**STATEMENT TO SUPPORT FILING AND SUBMISSION IN ACCORDANCE  
WITH 37 CFR § 1.821 THROUGH 1.825**

(XX) I hereby state, in accordance with the requirements of  
**37 C.F.R. §1.821(f)**, that the contents of the compact  
disc copy and computer readable format copy of the  
Sequence Listing, submitted in accordance with **37 CFR**  
**§1.821(c)** and **(e)**, respectively are the same.

- ( ) I hereby state that the submission filed in accordance with **37 CFR §1.821(g)** does not include new matter.
- ( ) I hereby state that the submission filed in accordance with **37 CFR §1.821(h)** does not include new matter or go beyond the disclosure in the international application as filed.
- ( ) I hereby state that the amendments, made in accordance with **37 CFR §1.825(a)**, included in the substitute sheet(s) of the Sequence Listing were made to conform with the current Sequence Listing rules. I hereby state that the substitute sheet(s) of the Sequence Listing does not include new matter.
- ( ) I hereby state that the substitute copy of the computer readable form, submitted in accordance with **37 CFR §1.825(b)**, is the same as the amended Sequence Listing.
- ( ) I hereby state that the substitute copy of the computer readable form, submitted in accordance with **37 CFR §1.825(d)**, contains identical data to that originally filed.

Respectfully submitted,

  
Kathleen A. Tyrrell  
Registration No. 38,350

Date: October 11, 2005

Licata & Tyrrell P.C.  
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(856) 810-1515